

REMARKS

The Office Action mailed August 25, 2009 has been reviewed and reconsideration of the above-identified application in view of the following amendments and remarks is respectfully requested

Claims 1-4, 6-8 and 10-15 are pending and stand rejected.

Claims 6 and 8 are objected to.

Claims 1 and 12 are independent claims.

Claims 1, 6 and 12 have been amended.

The Oath/Declaration is objected to for not including the citizenship of the inventors. Claims 6 and 8 are objected to for including informalities. Claims 12 and 13 stand rejected under 35 USC 112, second paragraph as being indefinite. Claims 1-4, 6-8 and 12-15 stand rejected under 35 USC 103(a) as being unpatentable over Ridge (PCT Printed Publication WO02/29715). The objection to claim 6 and rejection of claim 13 under 35 USC 112, second paragraph, from the prior Office Action have been maintained. The Specification remains objected to for failing to properly identify a paragraph to be amended.

Applicant apologizes for failing to provide a Supplemental Declaration in applicant's response to the prior Office Action. Applicant has attempted to contact the inventors regarding the Supplement Declaration but failed to timely receive the required document. Applicant therefore respectfully requests that the submission of the Supplemental Oath and Declaration be held in abeyance until the document may be obtained from the inventors.

With regard to the objection to claims 6 and 8 for including informalities and claim 6 for including an incorrect reference character, applicant thanks the Examiner for her observation. With regard to claim 6, applicant has elected to remove the reference label (20) from the claim.

However, with regard to the objection to claim 8, this claim recites a plurality of steps regarding selection, search and applying operations with respect to the first and set of programming statements and matching templates.

Applicant believes that these steps clearly teach the subject matter claimed in sufficient detail to allow one skilled in the art to practice the invention claimed.

The Examiner appears to object to the statement in the specification and the subject matter of claim 6 that refers to a multiple-to-one relationship and that there is no teaching regarding selecting a template from a plurality of templates in a many-to-one relationship when one behavior is selected.

However, in order to advance the prosecution of this matter, claim 6 has been amended to refer to each behavior having one behavior template. Hence, applicant submits that the reason for the Examiner objection has been overcome.

With regard to the rejection of claims 12 and 13 under 35 USC 112, second paragraph, applicant respectfully disagrees with and explicitly traverses the rejection of the claims.

With regard to the rejection of claim 12, the Examiner asserts that as this is a means for transforming step, "that invokes 35 USC 112, sixth paragraph. However, the written description fails to disclose the corresponding structure." (see OA, page 3).

Applicant respectfully submits that the application explicitly refers to a computer-implemented method for performing the processing described therein. Figure 1 describes, in part, the computer system in the selection of the behaviors using a user interface. As it is explicitly stated that the invention relates to a computer-implemented system and method, ("Referring now to FIG. 2, there is shown a process flow diagram 200 describing a computer-implemented system and method for remotely controlling the actions of a robot (referred to as Stan) via a high-level programming language."), applicant submits that because computer systems are well known to those skilled in the art, each particular element of the computer system need not be described in detail. Those skilled in the art would understand that the "means for" elements recited in the claims

refers to processing steps taken within computer system elements (e.g., CPU) when executing code, as is described in Tables 1 and 2, for example.

Hence, applicant submits that claim 12 is not indefinite and this rejection under 35 USC 112, second paragraph, has been overcome. .

In rejecting claim 13, the Examiner asserts "... claim 13 element 'means for searching said plurality of behavioral templates (22)' ... However the written description fails to disclose the corresponding structure, material or acts for the claimed function ... The detail about this step is provided in paragraphs 36 and 37 ... of the printed publication... However these paragraphs merely recite that a search is made not how a search is made. In applicants' remarks, paragraph 23 is referenced illustrating 'smile' as being performed as 'instructing the robot to move its cheeks up and down rapidly.' However, in paragraph 22 the rules for 'smile' are listed as 'include a first rule for instructing the robot to move the outer portions of his mount upward and a second rule instructing the robot to display all this teeth.' The specification does not teach how the search decides between these rules." (see OA, page 3, last line-page 4, line 20).

Applicant would note that claim 13 refers to a search operation that is performed to find a template associated with a behavior. The template is shown to include a plurality of rules that define the behavior. Hence, once a template is found as a result of the search, then each of the rules associated with the template are executed upon. This is shown in the example presented of Tables 1, 2 and 3.

In addition, applicant respectfully submits that the element of "searching," a data base or a plurality of templates is well-known in the computer art and, thus, need not be described in detail in the application. That is, whether the search mechanism uses a linked list or a binary search or a start-from-the-beginning search philosophy, such details need not be provided within the body of the application, as the search mechanism may be readily obtained or implemented using basic computer skills.

Applicant submits that the specification provides sufficient disclosure and

teaching regarding the structure of a computer system that performs the search function to enable one skilled in the art to practice the invention claimed.

For the remarks made herein, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the rejection of claims 1-4, 6-8 and 12-15 under 35 USC 103(a) as being unpatentable over Ridge (PCT Printed Publication WO02/29715), applicant respectfully disagrees with, and explicitly traverses, the reason for the rejection. In maintaining the rejection of the claims, the Examiner refers to page 16 of the Ridge reference for teaching an iconic interface for creating the story and a way to transform that story to a form translatable by the Document Type Definition Table. (see OA, page 10).

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in order to advance the prosecution of this matter, applicant has elected to amend the claims to further recite that the templates provide a mapping of the high level language into the lower level or native language of the robot. No new matter has been added. Support for the amendment may be found at least on page 7, lines 28-33 ("...the present invention provides a mechanism to translate or map the high-level RSL commands into the low-level robot hardware language commands which can be natively processed by the robot. The RBL behavioral templates, written in a second high-level language provide such a mapping. That is, the RBL behavioral templates include rules for defining how to interpret the high-level language RSL commands.")

Ridge discloses a system for programming behavior of synthetic creatures by creating digital stores in a graphical environment for imitating the behaviors, actions and expression of humans and other living creatures. Ridge discloses the use of a Document Definition Table (see Table 2) that defines a document structure (script) that may be used to parse a story (see Table 3) developed by a user. The story includes a plurality of behaviors, actions and expressions that

are parsed (see Table 4) using the Document Type Definition table (i.e., Table 2). After parsing the provided story, using known sentence structures, verbs (i.e., action words) are located and mapped to associated behavior structures (see Table 5).

Ridge refers to a "visual behaviour programming tool" (see page 17, line 1) that may include a menu bar, scene preparation window, script creation window, program window and story display window. (page 17, first paragraph). The menu bar is used to start the story and create multiple scenes and their sequence. The scene preparation window provides tools for preparing a scene before programming to add synthetic objects into a scene or position them within the scene. The script preparation window and program window are used for programming behavior of the synthetic creatures (i.e., robots). These windows are used as templates to formulate the sentences that become the story. The template includes object tool boxes, verbs tool box and preposition tool box 28. The user may select from the appropriate box to create the desired sentence. See page 18, first full paragraph, which states "[w]hen the sentence button 40 is clicked, a sentence template 44 appears in the program window 16. A sentence consists of empty boxes 46 representing subject, verb, indirectObject, directObject, preposition and object tuples, each tuple representing a prepositionPhrase. To fill up the [sentence] template, the user would have to click on one of these sentence elements 46 and click on a corresponding icon or button in the objects tool box 24, verbs toolbox 26 or preposition tool box 28."

Ridge further discloses that after the sentences are constructed (see Table 3), then the composed sentences are parsed and transformed into a set of instructions (see Table 4). The instructions in Table 4 are used to define the actions and behaviors. A generator is then used to take the tree of objects, shown in Table 4, as input and to generate a specific code for execution under a specific virtual world. Table 5 shows a sample code of a walking routine that is used in the generating process.

However, the instructions found in Table 4 are not comparable to the templates of the instant invention and Table 4 fails to provide any teaching of

mapping the high level language into native language, as is recited in the claims. Rather Ridge discloses that a generator is used to transform the instructions of Table 4, using the instructions of Table 5, to generate code to execute the story created. The generator of Ridge fails to use the two inputs of Table 3 information and Table 4 information to generate a third set of instructions as is recited in the claims.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Because Ridge fails to disclose all the elements recited in the claims, applicant submits that a prima facie case of obviousness has not been made.

For at least this reason, applicant submits that the reasons for the rejection of the independent claims have been overcome.

With regard to the remaining claims, these claims depend from each of the independent claims and, hence, also include subject matter not disclosed by the cited reference.

For the amendments made to the claims and for the remarks made herein, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the Examiner's comments regarding an error in the page number describing the first paragraph to be amended in the applicant's prior response, applicant has resubmitted the amendments to the specification for the single paragraph noted to be improperly defined.

Applicant notes that the Office Action refers to the Attorney Docket No. as

US0202606 and respectfully requests that all future communications refer to the Docket No as US020606US.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,
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